

**REGULAR MEETING**  
**July 27, 2010**

**City of Newburgh Zoning Board of Appeals**

Summary of Record of Actions Taken at the Regular Meeting of the Newburgh Zoning Board of Appeals held on July 27, 2010 at 7:30 p.m. at the Newburgh Activity Center, 401 Washington Street, Newburgh, NY.

Members Present: Joanne Lugo  
Victor Mirabelli  
Mary Ann Prokosch  
Mirta Rivas  
David Schwartz  
Barbara Smith  
James Kulisek

Also Present: Michelle Kelson, Assistant Corporation Counsel  
Michelle Mills, Secretary to the Board

**Motion Made to Approve Minutes of May 25, 2010 Meeting**

**Motion Made: Victor Mirabelli**

**Motion Second: Mirta Rivas**

**Motion Carried: Unanimous**

**NEW BUSINESS:**

**1. Appeal No. 2010-12**

**Location: 20 Fullerton Avenue**

**Applicant/Owner: Maria Vacante**

Requesting a **USE** Variance to permit a three-family dwelling and an **AREA** Variance for 16 feet on lot depth, 4 feet on front yard setback and 6 feet on side yard setback, which do not meet the requirements of the Schedule of Use and Bulk Regulations in an R1 Zone.

Ignazio Camporetto appeared before the Board on behalf of his daughter Maria Vacante. He explained that he maintains the building for his daughter and that they would like to make a basement apartment to provide additional income.

Barbara Smith asked about graffiti on the building and a parked trailer on the property.  
Joanne Lugo inquired about the rent.

At this time the Chairperson opened the public hearing by reading the text of the notice.  
No one spoke in favor or opposition of the applicant.

The public hearing was duly convened and completed on July 27, 2010.

Motion to Close Public Hearing: Victor Mirabelli

Motion Second: Mirta Rivas

Roll Call Vote: Unanimous

**Motion Carried: Unanimous**

Zoning Board of Appeals to assume Lead Agency status for S.E.Q.R.A.:

Motion Made: Victor Mirabelli

Motion Second: Mirta Rivas

Roll Call Vote: Unanimous

**Motion Carried: Unanimous**

Zoning Board of Appeals declares a Negative Declaration for S.E.Q.R.A.:

Motion Made: Victor Mirabelli

Motion Second: Mirta Rivas

Roll Call Vote: Unanimous

**Motion Carried: Unanimous**

Motion Made to approve **USE VARIANCE**: Victor Mirabelli

Motion Second: Barbara Smith

Roll Call Vote: 1 Yea (Kulisek) ; 6 Nay

**Motion Defeated**

Motion Made to approve **AREA VARIANCE**: Victor Mirabelli

Motion Second: Mary Ann Prokosch

Roll Call Vote: 1 Yea (Kulisek) ; 6 Nay

**Motion Defeated**

Meeting Adjourned 8:15 p.m.

Respectfully Submitted:

Approved:

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**Michelle M. Mills, Secretary**

**Joanne Lugo, Chairperson**